

# City of High Point

*Municipal Office Building  
211 South Hamilton Street  
High Point, NC 27261*



## Minutes

**Monday, February 6, 2017**

**5:30 PM**

**Council Chambers**

## **City Council**

*William S. Bencini, Jr., Mayor  
Jay W. Wagner, Mayor Pro Tem  
Latimer B. Alexander, IV., Cynthia Y. Davis  
James C. Davis, Jason P. Ewing,  
Jeffrey J. Golden, Alyce E. Hill,  
Christopher Williams*

**ROLL CALL, PRAYER, AND PLEDGE OF ALLEGIANCE**

*Mayor Bencini called the meeting to order and called for a moment of silence, which was followed by the Pledge of Allegiance.*

*Upon call of the roll, the following Council Members were present:*

**Present:**

*Mayor William S. Bencini, Jr., Mayor Pro Tem Jay Wagner (Ward 4); and Council Members Cynthia Y. Davis (At-Large), Latimer Alexander (At-Large); Jeffrey Golden (Ward 1); Christopher Williams (Ward 2), Alyce Hill (Ward 3), James C. Davis (Ward 5) and Jason Ewing (Ward 6).*

**RECOGNITIONS AND PRESENTATIONS**[170027](#)**Proclamations - Miss High Point 2017 & Miss High Point's Outstanding Teen 2017**

Mayor Bencini will present a proclamation to Miss High Point 2017, Kacy Kay Lee and to Miss High Point's Outstanding Teen 2017, Miss Logan Taylor Potts.

Mayor Bencini read the Proclamations into the record and presented the Proclamations to Miss High Point 2017, Kacy Kay Lee, and to Miss High Point's Outstanding Teen 2017, Miss Logan Taylor Potts.

Travis Green, Executive Director of the Miss High Point Scholarship Association, announced that both of these young ladies would move forward and become ambassadors for the City of High Point and compete for the title of Miss North Carolina Outstanding Teen and Miss North Carolina. He shared that this year, the 80th Miss North Carolina would be crowned and she would go on and represent us at the Miss America Pageant as they crown the 97th Miss America.

He then introduced two of his fellow committee members: Stella Todd and Stephanie Small. He shared that they have dedicated their time and energy to encourage young women to continue their college education while competing in the Miss America organization. He also recognized the mothers of these two young ladies: Kim Lee and Katrina Potts.

He urged Council to support these young ladies, as they bring back this tradition from 43 years past, in bringing back not only the state crown, but the national crown as well.

[applause]. A photo opportunity followed the presentation.

[170028](#)**Public Art Program - Southwest Foundation**

The Southwest Renewal Foundation and its partners are bringing Art Force Consulting to High Point to initiate a public art strategy. Public Art programs are an element of

community health and works well with revitalization to help develop a sense of place, enhance identity and develop partnerships within the community. Janet Kagen, Director of Art Force, will present a 3-minute overview of the work Art Force is leading in High Point during the week of February 6-10, 2017.

Attached is a tentative agenda of planned meetings and activities.

I am highlighting the following two public sessions for you and your constituents to attend:

Tuesday Feb 7

11:30am-1:00pm - Luncheon and Lecture at the String and Splinter

Thursday Feb 9

6:30 pm-8:30pm - Town Hall Discussion on the Arts in High Point at Centennial Station

Janet Kagan with Art Force shared that she was invited by the Southwest Renewal Foundation and its partners to come visit and spend a week in the High Point community in an effort to initiate a public art strategy. She presented a 3-minute overview of the work Art Force is leading in High Point during the week of February 6-10, 2017.

She advised that in preparation for her visit to High Point, she did read High Point's Strategic Plan and hopes to strengthen the goals in this process. She described Art Force as "curators" bringing experience both in state and local government, as well as business and working with artists and designers across all modes of contemporary expressions of art. They feel that creativity is a competitive advantage and they reimagine how culture gets made and distributed, and they design new platforms for communities. Additionally, they identify creative infrastructure in communities and explore organizational capacity, physical opportunity and creative needs.

Ms. Kagan shared that through the research she conducted in preparation for her visit in High Point, the word "design" instantly came to mind and that is what she felt is High Point's thumbprint. Art Force believes that every civic discussion deserves to have the artists' voice at the table and encouraged Council to be open to the unexpected. She then shared some slides of other projects that Art Force has been engaged in. She concluded her presentation by letting Council know that she would be bringing back some potential ideas that they may wish to consider.

## **STRATEGIC PLAN UPDATE**

[170030](#)

### **Strategic Plan Update**

Council will receive an update on the Strategic Plan from Council Member Jeff Golden,

Chair of the Community Housing & Neighborhood Development Committee and Council Member Jason Ewing, Chair of the Prosperity & Livability Committee.

Council Member Golden provided an update on some numbers as they relate to the Code Enforcement efforts regarding the blight. He then shared numbers for the January 2017 activities as follows:

31 Minimum Housing complaints  
198 Active Minimum Housing cases  
45 Public Nuisance complaints  
104 Active Public Nuisance cases  
52 Signs picked up

Chairman Golden noted the backlog of minimum housing cases from the old system has dropped significantly from 270 in May 2016 to 127 in January 2017. The continued dramatic reduction of public nuisance complaints reflects the combination of seasonable changes (i.e. cooler weather) and the identification of violations proactively by staff. Local Code Enforcement officers will continue to collect signs one Saturday per month in addition to the normal business hours.

Chairman Golden also reported that the State Code Enforcement, Inc. was terminated as of January 31, 2017. Lori Loosemore, Local Codes Enforcement Supervisor, shared some before and after photographs of public nuisance and demolition cases that staff has been working on (414 Hodgkin St.; 705 Thissell St.; 616 Wesley Dr.; 821 Hilltop; and 268 Dorothy St.

### **Connect HP**

Council Member Ewing reported that the Connect HP group has been very active and shared the following activities they have been involved with:

They have gained access to the High Point Young Professional's Facebook page and reactivated it; their first post reached over 2,000 people.

They have a Focus Group session scheduled with Forward High Point on February 21st and have invited, through their Facebook page, a couple of dozen additional young professionals to come and hear Ray Gibbs', Executive Director- Forward High Point, and to provide some constructive feedback.

They have agreed to make one of their meetings each quarter a meeting where people could come in and share things they'd like to see or not see in High Point in an effort to engage more of the young professionals in High Point from all different reaches in the city.

They have organized a Young Professionals event called "Party in the Park," which is scheduled for May 20th at Festival Park.

They will start sending out an e-Newsletter on a regular basis beginning in

March to help keep young professionals updated with opportunities in High Point (opportunities for jobs/employment; opportunities to serve; opportunities to play; and opportunities to live in High Point.

Council Member Ewing expressed that it is great to see the energy that this group has and stated he looks forward to more movement next month.

Council Member C. Davis inquired about the location and time of the meeting that is scheduled for February 21st and asked how people in the community could find information on the meetings. Council Member Ewing advised they would be posting it on the Young Professionals Facebook page, sending it out to anyone who has subscribed to their e-Newsletters, and it would also be posted on the city's calendar.

## **PUBLIC COMMENT PERIOD**

[170029](#)

### **Public Comment Period**

A Public Comment Period will be held on the first Monday of the regular City Council meeting schedule at 5:30 p.m. or as soon thereafter as reasonably possible following recognitions, awards and presentations. Our policy states persons may speak on any item not on the agenda.

\*Persons who have signed the register to speak shall be taken in the order in which they are listed. Others who wish to speak and have not signed in will be taken after those who have registered.

\*Persons addressing City Council are asked to limit their comments to 3 minutes.

\*Citizens will be asked to come to the podium, state their name and address and the subject(s) on which they will comment.

\*If a large number of people are present to register concerns about the same subject, it is suggested that they might be acknowledged as a unified group while a designated speaker covers the various points. This helps to avoid repetition while giving an opportunity for people present with the same concerns to be recognized.

Thanks to everyone in the audience for respecting the meeting by refraining from speaking from the audience, applauding speakers, or other actions that distract the meeting.

Leland Reynolds, 803 Montlieu Court, addressed Council regarding the lack of sidewalks on Triangle Lake Road. He noted there are five bus stops leading to an elementary school and that it creates a very dangerous situation because pedestrians have to walk either in the ditch or in the street. He asked the Council to consider putting this in the budget to provide some simple amenities to the people in this community.

He also advised that he owns rental property at 1309 Vernon Street in the Burns Hill neighborhood and asked how the city could help improve the property values in this area because the property owners are struggling with maintaining the properties and keeping the values in the area up.

Charles Bostick, a resident of 1629 Larkin Street, addressed Council regarding the John Coltrane house located at 100 Underhill Street. He suggested that

once the property is vacant, the city should proceed with putting it on the National Historic Register. Mayor Bencini advised that the city does own the property now and shared that the city has also been instrumental in getting the John Coltrane statue erected, as well as helping out with the Annual John Coltrane Jazz Festival.

## **CONSENT AGENDA ITEMS**

*Chairman J. Davis reported that the Finance Committee met on February 1 and recommended approval of the following finance items. He recommended that these matters be rolled into one motion for approval.*

At this time, Chairman J. Davis moved to approve all finance-related matters on the Consent Agenda. Council Member C. Davis made a second to the motion, which carried unanimously.

*Note: Although one motion was made to approve/adopt these matters under the Finance Committee Consent Agenda, action on all of these matters will be reflected throughout the Consent Agenda portion of these minutes as being made and seconded by the same persons.*

## **FINANCE COMMITTEE - Council Member J. Davis, Chair** **Committee Members: J. Davis, C. Davis, Hill and Alexander** **(all were present)**

### **170031 Supplemental Agreement - NCDOT - Second Strategic Highway Research Program**

Council is requested to approval a Supplemental Agreement with the North Carolina Department of Transportation (NCDOT) for a Second Strategic Highway Research Program (SHRP2) Transportation Vision for Communities Grant.

*Approved Supplemental Agreement with the North Carolina Department of Transportation extending the completion date for the Second Strategic Highway Research Program Transportation Visioning for Community Grant to June 30, 2017.*

**A motion was made by Council Member J. Davis, seconded by Council Member C. Davis, that this Agreement be approved. The motion PASSED by a 9-0 unanimous vote.**

### **170032 Contract Renewal - Crowder Gulf, LLC - Storm Debris Removal Services**

Council is requested to approve a renewal of the contract with Crowder Gulf, LLC for storm debris removal services in the event of any potential storms resulting in large quantities of vegetative debris.

*Approved the contract renewal with Crowder Gulf, LLC for storm debris removal services in the event of potential storms that would warrant removal of large quantities of vegetative storm debris.*

**A motion was made by Council Member J. Davis, seconded by Council Member C. Davis,**

that this contract be approved. The motion PASSED by a 9-0 unanimous vote.

[170033](#)

**Professional Engineering Services - Kersey Valley Landfill Area 3 Site Study**

Council is requested to approve contract for professional engineering services to Smith Gardner, Inc., in the amount of \$127,900.00 for the Kersey Valley Landfill Area 3 Site Study.

Approved Professional Engineering Services to Smith Gardner, Inc. in the amount of \$127,900.00 for a site study for the Kersey Valley Landfill Area 3 development.

A motion was made by Council Member J. Davis, seconded by Council Member C. Davis, that this Agreement be approved. The motion PASSED by a 9-0 unanimous vote.

[170034](#)

**Budget Ordinance Amendment - Transit Bus Insurance Proceeds**

Council is requested to adopt a budget ordinance amending the 2016-2017 Budget Ordinance to appropriate funds in the amount of \$25,000.00 received from a transit bus insurance claim.

Adopted Budget Ordinance amendment to transfer funds in the amount of \$25,000 received due to damage to a City transit bus.

Ordinance No: 7267/17-09

Introduced date 2/6/2017; Adopted 2/6/2017

Ordinance Book, Volume XIX, Page 150

A motion was made by Council Member J. Davis, seconded by Council Member C. Davis, that this Ordinance be adopted. The motion PASSED by a 9-0 unanimous vote.

[160370](#)

**Comprehensive Fee Schedule - Public Services Department**

Consideration of the proposed Comprehensive Fee Schedule for the Public Services Department of the City of High Point.

Approved the Comprehensive Fee Schedule for the Public Services Department to be effective January 1, 2018.

A motion was made by Council Member J. Davis, seconded by Council Member C. Davis, that the Comprehensive Fee Schedule for the Public Services Department be approved (to be effective January 1, 2018). The motion PASSED by a 9-0 unanimous vote.

**REGULAR AGENDA ITEMS**

**FINANCE COMMITTEE - Council Member J. Davis, Chair**

**Committee Members: J. Davis, C. Davis, Hill and Alexander**

**(all were present)**

[170035](#)

**Contract Award - High Point Public Library Improvements - Phase II**

Council is requested to award contract to WC Construction in the amount of \$1,805,000.00 for the construction of the High Point Public Library Improvements - Phase II.

Randy McCaslin, Deputy City Manager, advised that five construction companies submitting bids on December 22, 2016 for the Library Improvement Project- Phase II with the low bidder being WC Construction in the amount of \$1,805,000.00. He noted this was for the base bid, but six alternate bids were also considered. Mr. McCaslin reported that this information was discussed by the Prosperity & Livability Committee last week and it is coming to Council with a favorable recommendation from the Prosperity & Livability Committee for approval of the contract for the base bid amount of \$1,805,000.00 and that the alternate bids would be considered during the 2017-2018 budget process and possibly in future years. The base bid includes all the conduit for the project that would allow the alternates to be added at a later date without having to tear the whole project back up.

Finance Committee Chairman J. Davis, asked for clarification regarding the actual amount of money set aside to do the project and the contingency. He advised that during the Finance Committee meeting, they were told that there is \$1.5 million set aside for the project, with a budget amendment also included that would appropriate \$300,000 from the General Fund, plus a contingency of \$100,000, which brings the total amount for the budget amendment to \$400,000. He noted that right before this meeting, it was called to his attention that Prosperity & Livability Chair Ewing advised Council Member C. Davis that the \$400,000 was in addition to the \$1.8 million, so he was a little confused as to if the total was \$1.8 million or \$2.2 million).

Mr. McCaslin advised that approximately \$1.5 million is currently remaining in the budget. He reminded Council that the project was approved over three years ago and at that time, all they had was the architects estimate and no engineering work had been done at that time. Since that time, all the engineering work has been now been completed and these are the bids that came in. Mr. McCaslin further explained that the budget amendment calls for adding \$400,000 to the current amount (\$1.499 million), which will cover the base bid and includes a little bit of contingency.

At this time, Chairman Ewing clarified that he felt the confusion was due to the fact that the six alternate bids added up to \$400,000, and that was not included in the \$1.8 million. Mr. McCaslin pointed out that none of the alternates were included in the P & L Committee's recommendation.

Mayor Pro Tem Wagner if staff could review the alternates because he was not able to attend the Prosperity & Livability Committee Meeting when it was discussed. Mr. McCaslin identified the six alternate bids as follows:

1. Fountain system along the road
2. Power pedestals for future food truck use (however, the conduit to those power pedestals will be installed)
3. Power switches on the front and back side of the building, and in the parking lot close to the Krispy Kreme that would provide power to set up future



- stages to have concerts
- 4. LED flood light- RGB system (with color control)
- 5. LED flood light (white)
- 6. Irrigation system

Note: #4 and #5 are either or, not both.

Chairman J. Davis pointed out the bids do not include any changes to the clock tower. He advised that it was a split vote in the Finance Committee to send it to Council, but he did vote to approve it. He further advised that when the project was initially approved, he was not in favor of it, but since the former Council did approve it, he wanted to see the project completed.

Council Member Golden asked for clarification again for the amount of the project. Mr. McCaslin advised that the addition of the \$400,000 would bring the total to around \$1.9 million, and reiterated this would also include a little bit for contingency.

At this time, Council Member J. Davis MOVED APPROVAL OF THE CONTRACT AWARD TO WC cONSTRUCTION IN THE AMOUNT OF \$1,805,000 FOR THE CONSTRUCTION OF THE HIGH POINT PUBLIC LIBRARY IMPROVEMENTS- PHASE II.

Council Member Wagner made a SECOND to the MOTION.

For further discussion, Council Member C. Davis stated it was her understanding that the city is no longer turning on the lights on the Clock Tower. She advised that she has been hearing about a lot of concerns in the he community about Phase II in its present form. She stated the constituents that she represents would urge Council to go back and look at the Phase II project to come up with some revisions and a way to save money by doing away with some of the extra things such as the farmer stalls. She shared that a lot of people are still against the farmer stalls being part of the project at the Library. They would rather see the community gardens in the communities on the properties that the city has leased because this would provide an opportunity to creatively sell goods from those sites directly and would better serve those neighborhoods that the gardens are in. She expressed reservations in regards to moving forward and adding additional dollars to this project and noted that she did not offer support for it in the past, and she could certainly not support it in its current state although it has been approved by Council, unless Council is willing to go back and look at some revisions.

Awarded contract to WC Construction in the amount of \$1,805,000.00 for the construction of the High Point Public Library Improvements- Phase II.

**A motion was made by Council Member J. Davis, seconded by Mayor Pro Tem Wagner, that this matter be approved. The motion carried by the following 8-1 vote:**

[170036](#)**Budget Ordinance Amendment - High Point Public Library Improvements - Phase II**

Council is requested to adopt a budget ordinance amending the 2016-2017 Budget Ordinance to appropriate funds in the amount of \$400,000 for the High Point Public Library Improvements, Phase II.

Adopted a Budget Ordinance amending the 2016-2017 Budget Ordinance to appropriate funds in the amount of \$400,000 for the High Point Public Library Improvements- Phase II.

**Ordinance No. 7268/17-10**

**Introduced 2/6/2017; Adopted 2/6/2017**

**Ordinance Book, Volume XIX, Page 151**

A motion was made by Council Member J. Davis, seconded by Mayor Pro Tem Wagner, that this matter be adopted. The motion carried by the following 8-1 vote:

**COMMUNITY HOUSING & NEIGHBORHOOD DEVELOPMENT COMMITTEE -**

**Council Member Golden, Chair**

**Committee Members: Golden, Alexander, Ewing and Williams**

**(all were present)**

**PENDING ITEM**[160330](#)**Ordinance - Demolition of Structure - 512 Hines Street**

Council is requested to adopt an ordinance requiring the building inspector to effectuate the demolition of a structure located at 512 Hines Street belonging to Eliseo Zavala. (At the November 7, 2016 meeting this item was deferred to the December 5, 2016 Council Meeting. At the December 5, 2016 Council Meeting, Council deferred this item for 60 days or until the February 6, 2017 Council Meeting. At the February 6th Council Meeting, item was placed back in pending. At the May 1, 2017 meeting this item was continued to the May 15, 2017 meeting. At the May 15th Council Meeting this item was deferred for 45 days). At the June 5th meeting item was deferred pending receipt of the executed Supplemental Order from the property owner.

Council Member Golden moved to bring this matter out of pending. Council Member C. Davis made a second to the motion, which carried by a unanimous 9-0 vote.

Chairman Golden asked staff to update Council regarding this property.

Lori Loosemore, Local Codes Enforcement Supervisor, advised that this housing case was originally heard by Council on November 7, 2016 and it was deferred to the December 5, 2016 City Council meeting, then to the February 6, 2017 meeting. She reported that the owner has started doing some repairs and shared some pictures of the interior that were taken last week. She pointed out the inspections for the repairs that have been done have failed twice (on December 5th and again last week), but the property owner did call

last Thursday and requested to meet with a building inspector on Friday.

Council Member Alexander asked if the property owner is working with a licensed contract and Ms. Loosemore informed Council that Mr. Zavala, the property owner, is doing all the work himself. Council Member J. Davis asked about the reasons the inspections failed and Ms. Loosemore reported the following:

- Roof has not been repaired
- All piers are not in
- Needs to add hangars to all wood joists not on ledgers
- Expose all the new piers and footings for inspection
- All exterior girders require six-foot maximum spacing
- All ledgers require four nails at the joists
- All girders to be 3 inches on masonry or one and a half foot on wood

Ms. Loosemore added that the inspectors did let Mr. Zavala know what he needed to do to correct the repairs to pass inspections.

At this time, Chairman Golden asked Mr. Zavala to come forward.

Eliseo Zavala, the property owner, also shared some photographs of his work. He explained that the second inspection failed because he didn't put four nails under each joist and he missed a couple. He also was told by the inspector that he needed to put 2 x 6 in to cover the whole area instead of a 2 x 4. Regarding the exterior girders, he noted that he was supposed to have them every six feet, but missed three in the whole house. He pointed out that he has already taken care of adding hangars to the ledgers. Mr. Zavala stated that a neighbor's tree fell on his roof, but he has been working really hard to repair the hole because of the pending inclement weather.

Chairman Golden asked if an experienced builder would have been aware of the repairs that Mr. Zavala made that failed inspection. As an experienced builder, Council Member J. Davis replied that an experienced builder would know what needs to be done to make the repairs and would have caught it, but these were items that would be easy to correct in a minimal amount of time. Chairman Golden expressed concerns because he did not want to put Mr. Zavala in a situation where he continues to put money into it and has the will, but does not have the knowledge. Council Member J. Davis praised the city's inspectors and advised that they usually share suggestions with the property owners how to correct the items that do not pass inspection.

Council Member Alexander inquired about a target date when this matter was initially deferred. It was Ms. Loosemore's understanding that the property owner is not meeting the target date. She pointed out at the November meeting, Mr. Zavala stated he could have it completed in 30 days, but since that time he did lose his job and Council did grant him an additional 60 days.

Council Member J. Davis affirmed that the property owner has done a substantial amount of work and a lot of effort has already been put into it (i.e. digging/pouring the footings, milling the piers, hanging the floor joists, etc....). Council Member Alexander reiterated his concerns regarding a specific target date for the repairs to be done by.

Ms. Loosemore clarified that the way the permits were pulled, Mr. Zavala would have to reside there and could not rent it out. Council Member C. Davis asked Mr. Zavala how long it would take him to complete the repairs before he could actually move into the house. City Attorney JoAnne Carlyle felt the latter question should be directed to staff, not to Mr. Zavala and that staff should share the inspectors opinions as to the effort, ability, time that the property owner has put into it given the amount of work that needs to be done, as well as a percentage that would need to be required.

Council Member C. Davis then directed the question to Ms. Loosemore to determine her thoughts in regards to Mr. Zavala's ability to complete the repairs and pass the inspections. She asked if Ms. Loosemore would be willing to allow Mr. Zavala more time to complete the repairs. Ms. Loosemore responded and said that giving him more time was not out of the question, but she was concerned that he would continue putting more money into it and does not have enough knowledge to get it done in a timely manner. She advised that on both occasions that Mr. Zavala called for inspections, he did so right before the Council meetings. In addition, time went by and he did not keep communications open with the inspectors either. City Attorney Carlyle asked Ms. Loosemore if she could make a recommendation.

Council Member C. Davis asked if there could be a cultural, understanding and language barrier and felt this should be something that staff and Council is sensitive to. Ms. Loosemore advised that staff encounters this on many occasions, so it was just not directed at Mr. Zavala.

Council Member J. Davis expressed concerns that the city was trying to dictate the time and goals for Mr. Zavala because the State Law does allow a property owner to pull a permit and do up to \$30,000 of work without having a contractor's license. He further advised that if it gets to the point where he cannot pass inspection, then the building inspector would condemn it and issue a STOP work order, then it would have to come back to Council at that time as to Mr. Zavala's competence.

With that being said, Ms. Loosemore recommended that Council turn the housing case back over to staff for them to monitor and if the property owner does not do what is needed, then staff would bring it back to Council.

Council Member Williams sought the advice of the city attorney. He pointed out they keep running into situations like these where property owners keep asking for additional times and continue to take advantage of the situation. He

asked City Attorney Carlyle if there were not specific steps that need to be taken and if Council had the option to either adopt the order, or not adopt it and that was supposed to be identified in the determination. Ms. Carlyle advised that in this case, there was an assumption that there had been an abandonment of any repairs, and then it would be up to the inspections department and staff to monitor the situation closely by reporting back to Council. Council Member C. Davis clarified that Council could either vote it up or down, but was not bound to accept staff's recommendation either.

Council Member Williams explained the reason he brought it up was all the effort that is being put into moving forward in trying to clean up blighted neighborhoods. He felt Council should be more cautious when making these decisions. While Chairman Golden agreed, he advised that Council has not received a concrete recommendation from staff. Ms. Carlyle advised that staff does have the authority to make changes and if the property owner had made further progress, she felt staff's recommendation would have been clearer and more certain.

At this time, Chairman Golden asked Ms. Loosemore to make a recommendation to Council. Ms. Loosemore advised that if Mr. Zavala agrees and understands that in the next 30 days, staff needs to see significant progress in inspections and communicates with staff, then her recommendation would be for Council to turn it back over to staff for the progress to be monitored very closely. She reiterated that if Mr. Zavala continues to make progress on the work on the house in the manner that he stated he would do, then the house would be repaired and staff would work with him.

At this time, Council Member Golden MOVED to turn this housing case back over to the Inspections Department to follow up with and monitor the progress. Council Member C. Davis made a second.

City Attorney Carlyle advised that the MOTION should actually be to place the matter back in Pending.

For further discussion, Council Member Ewing issued a warning to Mr. Zavala that if he does not make as much progress over the next few weeks as is expected, then he would recommend that Mr. Zavala reach out and find a contractor to help him meet the deadline. Mayor Bencini felt this was great advice and added that he would hate to see Mr. Zavala continue to put resources and money into it and ultimately end up with nothing because of running out of time.

There being no further discussion, the MOTION TO PLACE THIS MATTER BACK IN PENDING carried by a unanimous 9-0 vote.

A motion was made by Council Member Golden, seconded by Council Member J. Davis, that this matter be placed in Pending and assigned to the Community Housing & Neighborhood Development. The motion PASSED by a 9-0 unanimous vote.

## **PROSPERITY & LIVABILITY COMMITTEE - Council Member Ewing, Chair**

### **Committee Members: Ewing, Williams, Hill and Wagner**

#### **(all were present)**

#### **170043**

##### **Revision - Policy for Messaging on Water Tanks/Donated Property**

Council is requested to approve a revision to the Policy for Messaging on Water Tanks and Donated Property.

Chairman Ewing reported that after a conversation that took place in the Prosperity & Livability Committee last week, the City Attorney was asked to amend the policy to include additional verbiage and to include "property donated to the City of High Point" in addition to the elevated water tanks already mentioned in the policy.

Approved a revision to the Policy for Messaging on Water Tanks and Donated Property.

A motion was made by Council Member Ewing, seconded by Council Member Williams, that this matter be approved. The motion PASSED by a 9-0 unanimous vote.

#### **170037**

##### **Acceptance of Train Donation - High Point University**

Council is requested to accept the donation of the Train engine from High Point University for the City Lake Park and also approve the use of the HPU logo on the donated train engine. This item was discussed at the Prosperity & Livability Committee meeting on February 1 and recommended for approval by City Council.

Chairman Ewing shared that this was definitely some exciting news for many of the young riders in the city. He advised that High Point University (HPU) has offered to replace the train engine at City Lake Park. He commented this will be a huge asset for the city and he was very appreciative of the university's donation. Barry Kitley with High Point University was present to answer any questions.

Mayor Bencini also thanked HPU for their generosity.

Accepted the donation of the train engine from High Point University for the City Lake Park and approved the use of the HPU logo on the donated train engine.

A motion was made by Mayor Pro Tem Wagner, seconded by Council Member Hill, that this matter be approved. The motion PASSED by a 9-0 unanimous vote.

#### **170038**

##### **High Point University - Logo on Water Tank**

Council is requested to approve the High Point University plan to place the University's logo on the Lexington Avenue water tank per the "Messaging on Water Tank" policy approved on August 16, 2016. This item was discussed at the Prosperity and Livability

Committee on February 1 and recommended for approval by City Council.

Barry Kitley, representing High Point University, shared a drawing of the water tank and logo that was discussed this past August. He explained that they got together with their consultant and worked with city staff to make sure they were meeting all the specifications. He noted these drawings were taken from three different locations:

1. Visual coming out of Robert's Hall on campus
2. Lexington Avenue crossing Main Street
3. Pointing up towards Johnson Street. Mr. Kitley admitted he had a little trouble with this view due to the way the tank lines up and at the end of the day, there would be a little field adjustment necessary to make sure it lines up right. He advised that staff is aware of it and they would all be out there making sure it looks great.

Council Member Alexander inquired about illumination of the tank at night.

Mr. Kitley replied not as a part of this request, but maybe in the future.

Council Member C. Davis asked the city manager if the city has had any other interest in the water tanks or any other water tanks within the city at this point. City Manager Greg Demko replied that no one has approached him with other interests.

Approved the High Point University plan to place the University's logo on the Lexington Avenue water tank per the "Messaging on Water Tanks" policy approved by the City Council on August 16, 2016.

**A motion was made by Council Member Ewing, seconded by Council Member Alexander, that this matter be approved. The motion PASSED by a 9-0 unanimous vote.**

## **PLANNING & DEVELOPMENT COMMITTEE - Mayor Pro Tem Wagner, Chair**

### **170039**

#### **Public Hearing: Ordinance - Moratorium Central Business District**

Consideration of an ordinance that establishes a temporary moratorium on the construction or erection of non-residential buildings with certain metal or vinyl facades within the Central Business District and in the General Business (GB) and Light Industrial (LI) Districts that are located within 1,000 feet of the Central Business District.

The public hearing for this matter was held on Monday, February 6, 2017 at 5:30 p.m.

Randy Hemann, Assistant City Manager, explained this is an ordinance that establishes a temporary moratorium in the Central Business (CB) District, as well as the General Business (GB) and Light Industrial (LI) districts that are within 1,000 feet of the CB district. He advised that the discussion that took place a month ago regarding design standards for the mini storage warehouse facility that proposed off Eastchester Drive, prompted staff to think about the lack of design standards for the downtown area. They were concerned that someone could put up something that would be considered as damaging to the Market District.

Staff is proposing this moratorium that would allow an opportunity for this to be reviewed for a period of February 6 - June 6th and staff feels regulations are needed in this area. Mr. Hemann explained they don't need restrictive regulations because they do not want to stifle the creative things that go into the design district or the showroom district and mentioned the Natuzzi building, which exhibits creative design and uniqueness. However, without any design standards in place, staff is concerned that buildings could be built that might detract from those already there. Mr. Hemann then shared a map identifying the boundaries and entertained questions from Council.

Council Member C. Davis asked if they would be meeting monthly with regards to the progress on developing the standards. Chairman Wagner stated he was uncertain as to if this would be handled by the staff, or if it was something that the Planning & Development Committee would take up. Mr. Hemann advised that staff would work with the Planning & Development Committee to come up with the design standards.

Council Member Alexander pointed out the ugliest building in downtown was 18 stories high and skinned with metal siding. He asked how it would be possible to explain to a property owner that this is now a problem. He asked how staff plans to address this. Mr. Hemann stated that was an interesting point and pointed that was probably the most valuable block in the entire city. He advised the trends in the industry are putting windows back in and getting away from the big, blank metal siding walls.

Council Member J. Davis asked how staff picked standing, seam and vinyl siding because there were a lot of other stuff prevalent downtown that has hardie plank or effice on it. Mr. Hemann explained the thought process was to include most anything that could go up quickly (i.e. typical metal building) and that would not be aesthetically pleasing. He noted the design guidelines could certainly cover all of those areas. Council Member J. Davis then asked if staff had reached out to TREBIC, developers, or any of the realtor associations for their input and pointed out that Judy Stalder with TREBIC was in the audience.

At this time, Chairman Wagner opened the public hearing and asked if there was anyone present who would like to speak.

Judy Stalder, representing TREBIC, 115 S. Westgate Drive in Greensboro, addressed Council. She supposed the moratorium was needed and expected design guidelines would be helpful in the downtown area. She noted that TREBIC would be glad to share opinions as part of a stakeholder group working with staff on this.

Chairman Wagner asked if there were any one else present who would like to comment. There being none, the public hearing was closed.

Adopted an Ordinance establishing a temporary moratorium on the construction or erection of non-residential buildings with certain metal or vinyl facades within the Central Business (CB) District and in the General Business (GB) and Light Industrial (LI) Districts that are located within 1,000 feet of the Central Business District.

**Ordinance No. 7269/17-11**

**Introduced 2/6/2017; Adopted 2/6/2017**

**Ordinance Book, Volume XIX, Page 152**

**A motion was made by Mayor Pro Tem Wagner, seconded by Council Member Ewing, that this Ordinance be adopted. The motion PASSED by a 9-0 unanimous vote.**



**GENERAL BUSINESS AGENDA**[170040](#)**Business Development Committee**

Council is requested to appoint a seven (7) member Business Development Committee per the Development Incentive Grant policy adopted on September 8, 2015.

Randy Hemann, Assistant City Manager, explained Council has adopted the policy, but a board has not yet been appointed. He advised it would be a seven-member board, three-year staggered terms, with each ward representative and the Mayor on the City Council appointing one member from their respective ward to serve.

Council Member Ewing asked if this board was listed on the city's website with the other boards and commissions and staff replied it is not yet listed. Council Member J. Davis noted it is a seven-member board, but there are nine council members. Mayor Pro Tem Wagner noted there would be a representative from each of the six wards, plus the mayor as At-Large.

Approved the appointment of a seven (7) member Business Development Committee per the Development Incentive Grant policy adopted on September 8, 2015.

**A motion was made by Council Member Alexander, seconded by Mayor Pro Tem Wagner, that this matter be approved. The motion PASSED by a 9-0 unanimous vote.**

[170041](#)**Appointment- Boards & Commissions - Parks & Recreation Commission**

Council is requested to confirm the appointment of Jerry Archie as Council Member Williams appointment to the Parks & Recreation Commission. Appointment effective immediately and will expire July 1, 2018.

This matter was removed from the Agenda at the recommendation of Council Member Williams.

**A motion was made by Council Member Williams, seconded by Mayor Pro Tem Wagner, that this matter be removed from the agenda. The motion PASSED by a 9-0 unanimous vote.**

[170042](#)**Minutes to Be Approved**

Finance Committee meeting; Wednesday, January 11 @ 4:00 p.m.

Special Council Meeting; Tuesday, January 18 @ 3:30 p.m.

Regular Council Meeting; Tuesday, January 18 @ 5:30 p.m.

Approved the preceding minutes as submitted.

**A motion was made by Council Member Alexander, seconded by Council Member Williams, that the preceding minutes be approved. The motion PASSED by a 9-0 unanimous vote.**

**Other Business**

**Displeasure with High Point Being a Heroin Center**

Council Member Alexander: I have contacted our managers over the last couple of weeks expressing my displeasure with High Point being such a heroin center and many of the accidents that are being caused are being caused by people basically passing out from this. We had three, two weeks ago. Two of those accidents had children in car safety seats in the car. One last week did not. Then again this week in the Enterprise, a young man in a jeep came over from Winston Salem to get his heroin. You know, we have made the national press around the country. It is a problem and I am frustrated and unsatisfied with the progress that we have made so far. I am publicly challenging our management team to work with our police department to come up with a strategy to do more and let us know what that is. I don't know if the next two weeks is too quick, but honestly, we've got a real serious problem here. High Point has always been a heroin town. It's becoming worse.

I'm tired of hearing about one traffic accident after another in the newspaper. This heroin pinball with a 2,500- pound automobile on our city streets is not safe. I'm unsatisfied. So with that being said, I challenge you to in a short period of time come back and advise us as to what you are doing and what support you need from us.

Mayor Bencini: Chief.

Police Chief Kenneth Shultz: I'm prepared tonight to briefly speak if you'd like to hear on any of the topics as far as a little context and overview of the heroin issue that we are experiencing. We can talk about the enforcement efforts that we are doing. I can also talk about the addiction problem that we're also trying to address. I could probably do the whole thing in about five minutes if you want to hear or if you want to hear of any of those particular topic areas, I'll be glad to speak about those.

In context, again, to start off with, I definitely don't want to minimize the problem. I want to put it in the context with what we're seeing across the country right now. I just read a CDC report from December 2016, that identified that the country had 33,000 deaths from overdoses. Last year, we contributed six of those to the 33,000 overdoses. To date, we've had

46, so it's on-going and it's continuous. It's kind of interesting, I picked up the News 2 version of the report the other day and looked at it to see that Wilmington was the #1 overdose capital right now in the country. Jacksonville and Fayetteville were up there and then it started hitting the southern United States. I've got a report....the CDC actually talks about how horrendous the problem is all over the north side of the country right now and how it's spreading. So context wise, we're not seeing anything unusual. We still have less overdoses than Greensboro and Winston Salem have had. We're very verbal about it.

So let me talk about three points really quick. From the enforcement area, we continue to focus on the efforts with the Vice Narcotics Unit. We have Task Force officers assigned to the DEA. It's just recently become a big focal point for the federal government. Now we're getting the push from the US DOJ, the US Attorney's office, high intensity drug tracking are all focusing in the area. So that's the enforcement effort that's on-going right now. We're using the informants, undercover work, the intel analysis. We've recently started updating...in the whole Triad area we're putting in all the data about the overdoses and sending them to the Intel Department of Justice so that we can look at in context and see where we can go with those enforcement efforts.

The demand is really the most severe area that we're trying to deal with right now. It's the addiction and demand that's causing this supply to be out there. But we've got on-going partnerships with our service providers. We're attending the forums. We were actually down in Raleigh at a forum last week where we presented the work on how we're going to track, the work that we partnered with our service providers, we were held up by the health director as a model for NC. The paperwork that we're now submitting to the DOJ really models the paperwork that we've been doing here in High Point as well.

The on-going efforts from that, we continue to work with our service providers. I've actually got a meeting set up on Friday where they're looking at some options where we can start going out and doing some home visits.

We do have the issues with the overdoses. We're providing the service providers with those names and reaching out and trying to contact

individuals. Now they're going to try to go to the doors and the evaluation from what we've seen across the country because we are watching the best practices out there.

They're sending teams out to actually knock on doors, and say, Hey, look you've been revived from a drug issue and we're trying to encourage your treatment. I think the biggest problem, though, is money. Right now the ideal way that these things are being resolved in the states around the country are if police officers can immediately transport somebody to a treatment facility and NC doesn't have the funding for that. We don't have those treatment facilities set up right now. That's where we've been talking to our legislators, Rep. Faircloth. That's the big push from that side.

But with 33,000 deaths throughout the country right now, it's a priority throughout the whole country. We're working on that. I'm willing to try anything apart from some of the more extreme areas I've seen because we've got states that have opened up "clean-shoot" rooms where they can be monitored to keep them from having overdoses. That's obviously in violation of some federal and state laws as well. But if you've got any suggestions or ideas....

We have started tracking specifically the numbers of vehicle accidents involving heroin and in 2014 we had 16; 2015 we had 7; 2016 we had 26 and this year we've had 10. So it's been on-going. It's out there. One of the new things we're tracking also is the incidents with the kids in the cars. I looked back, we had in 2014, 9; 2015 we had 4; 2016 we had 11; and today we've got about three of them here that there's been overdoses with kids in the car. Some of these things are obviously horrendous. I remember a death that we had where the lady was off MLK at the Family Dollar Store. We found her dead and the kid was in the back seat. Those are the types of things that we're seeing around the country. We recently saw where a kid starved to death after his mom and dad overdosed and left him there. So we're struggling with that. If you've got ideas or suggestions, we'll look at that. That is a high priority for the police department and our enforcement efforts.

Council Member Williams: I know that we track and follow and I think that at one point you said that Greensboro and Winston doesn't. Is that

still the case, or are they now starting to pick up on....

Chief Shultz: Whenever we saw the problem in 2014, I think perception is part of what I'm getting at. They've got a problem as does the rest of the country, but we've been putting it out there. So in 2014, we met with the media. We held those press releases and put that out. The statistics I'm seeing from Greensboro and other cities generally come from EMS and Guilford County. So I haven't seen a lot of data coming specifically from the police department over there.

Council Member Williams: I was kind of getting to that point. I guess when you said when we raised awareness w to the press, the opposite effect of what we wanted to happen happened. Now, forgive me if I sound naïve with this, but do we have numbers on convictions, number of years given? All those kinds of things? I know we're big on crime deterrent. Maybe if some of that information got out, it might help at least from the source.

Chief Shultz: Absolutely. And we really had the biggest impact in 2015. In 2014 we came in and we dismantled a few of our big distributors. We put that out and we were able to successfully just about shut it down. We went from 116 overdoses to 77, which is a substantial drop. Of course, last year we shot back up to 191. So that's what we're doing. One of the more unique and I'll be glad for this to get out in the media as well, is the overdoses that we're having where people die, we're treating those as homicide scenes. And our objective right now with the promise from the DA is that we will try to prosecute whoever is involved in those if we can prove the link back as a murder. Then we can start throwing some numbers out and conviction data out as well. Hopefully that will also work as a deterrent for us.

Council Member C. Davis: Chief, you're working with Mr. Faircloth. Have you guys discussed anything in regards to where the defender is able to plea down if they provide somebody higher in the food chain, so that you can get a handle around the dilemma that we're facing?

Chief Shultz: Yes, and I don't know if you guys are familiar with the good Samaritan law. There is a big push with that really across the country, we don't want people dying from heroin overdoses. If we're out

there arresting heroin overdoses right now, I would have everybody in jail right now and it would be filled up. So generally what we're dealing with is also the amount of narcotics that they have that prevent us from being able to make charges. We're generally not arresting the heroin users unless they're specifically in vehicles, unless they're operating a vehicle while impaired. We have limited opportunities to interact with these guys. A lot of times, scenes are cleaned up and we just have someone that's passed out and unconscious and mysteriously enough, the Narcan that the city has invested \$10,000 in is revitalizing these individuals. So that's part of our protocol. Is we're trying to get them at that point when they're probably at the weakest that they're going to be to see if we can't get the information from them about who they purchased it from.

That's the type of intel right now that the Vice Narcotics Unit is focusing on.

Council Member C. Davis: I guess my question was more in line when they actually make it to court for those vehicle incidents, or those kinds of situations. Working something out with the DA, you know there is no plea unless you tell us who your supplier is.

Chief Shultz: That's going to be up to the DA. And again, we're trying to gather the intel on the front-end. That's obviously something we can consider as well.

Council Member Ewing: Chief, you brought up the Narcan. I was speaking with a Greensboro officer and fireman last week and they said that they are starting to see the Narcan not working and having to use it intravenously for it to be effective. Have you seen that within High Point?

Chief Shultz: Yes. That's where our distributors are getting creative. It's really getting mixed with fentanyl, which is a synthetic opioid that's used as a painkiller for cancer patients. We've actually, in High Point, seized heroin, stuff that was identified as heroin that was actually pure fentanyl and when people are taking that thinking that it's heroin, it's about an instant death sentence. As a matter of fact, I've had to stop our officers from actually field testing the narcotics now because just touching that or breathing it in can cause them to die. So #1, we have to train them. If we see an officer suffering from the effects from a search warrant. We've

seen where people go in on a drug raid, the bad guys are throwing the white powder in the air and running out trying to incapacitate the officers. So that's where a lot of the incidents are happening at. We did have injectable Narcan initially, but we switched over to a nasal atomized one that's a lot more effective. But still depending on what that heroin is cut with, we're seeing times where we're putting in several dosages. The fire department might be doing the same thing and EMS is the only ones that is helping on the IV side. Obviously, we are not equipped or trained at that level. But we're seeing that as well.

Council Member Alexander: Chief, we had gun problems in High Point back in the 80s. We had all kinds of road blocks set up around town where you'd do a license check and it was anytime in the day or night. You know we would end up with folks that were driving without a license or no insurance on their car, but we also ended up picking up a lot of guns. We picked up a lot of other bad people doing bad things. It's been so long since I've seen a roadblock in High Point.

Chief Shultz: There are constitutional restrictions on that. We can do driver's license check points. We do those. I've got them on my commanders logs on a regular basis. We do them in locations based on the facts where traffic accidents are happening. But I have had two murders for the year already. Both of those areas have been flooded without traffic officers doing traffic checkpoints. Both to handout the fliers in the area requesting information to let the public know we're out there. So we're doing that, but we've got to comply with the constitutional requirements. I can't just set up roadblocks and start searching people's cars for drugs or guns. There are constitutional requirements. I'm willing to use any type of opportunities you can as long as we're staying within the confines of the law.

Council Member Alexander: Well you know where these four accidents that I'm talking about were and you know what time they were. I'd like to see some action in those neighborhoods.

Council Member Williams: I've got a question and a request for the mayor and the manager. I've heard of a program that has addicts that come out of jail where they could get a shot that could prohibit them I guess from getting high. I will find the research on it and get it to you. It

would kind of prohibit the effects of opiates. We already know you said you don't have the money in the state, so maybe we can look to add this to what she could probably ask for us, funding for assistance because if my memory serves me correctly, we're talking about 21% of the addicts across the country were the only ones receiving help and if you would just imagine that that was cancer and you're talking about only 21% of them getting it. So if there's an opportunity there, I'd like to see if we can research that.

Chief Shultz: Any other questions?

Thank you.

Mayor Bencini: Greg, could you maybe have a conversation with Jennifer to see if there's some opportunity there.

City Manager Greg Demko: Absolutely. We'll continue to work on the issues that we have especially with the opiates. It's a very difficult one and it is across the country. We'll start building more of a program.

Council Member Golden: There has been a workshop, too, the National League of Cities, had opiate addiction workshops.

[end of transcript]

### **Remembering Robert Leland "Bob" Cecil**

Mayor Pro Tem Wagner shared that Bob Cecil, a High Point attorney that has practiced law in High Point for about 50 years, has passed away. He took a moment to recognize Mr. Cecil for all of his accomplishments and his contributions to the practice of law in the City of High Point spanning over half a century. Mr. Cecil also served as a Guilford County District Court Judge, and was also served as President of the High Point Bar Association.

### **ADJOURNMENT**

There being no further business to come before Council, the meeting adjourned at 7:10 p.m. upon motion duly made and seconded.

Respectfully Submitted,



\_\_\_\_\_  
William S. Bencini, Jr., Mayor

Attest:

\_\_\_\_\_  
Lisa B. Vierling, MMC  
City Clerk